

United States District Court

SEP - 2 2016

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Ismael Hernandez-Torres

CRIMINAL COMPLAINT

Case Number: M-16-1638-M

IAE YOB: 1976

the United Mexican States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about September 1, 2016 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to the United Mexican States in pursuance of law, and thereafter was found near Hidalgo, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Ismael Hernandez-Torres was encountered by Border Patrol Agents near Hidalgo, Texas on September 01, 2016. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on September 01, 2016, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on June 24, 2016, through San Ysidro, California. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On September 18, 2014, the defendant was convicted of 8 USC 1326 Illegal Re-Entry and sentenced to twenty-seven (27) months confinement.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Sworn to before me and subscribed in my presence,

September 02, 2016

Signature of Complainant

Francisco Armendariz Senior Patrol Agent

Peter E. Ormsby, U.S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer